

Docket No. 255977US2PCT

Rec'd PCT/PTO 25 APR 2005

#6

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Ulrich BOCKELMANN, et al.

SERIAL NUMBER: 10/501,772

ATTN: APPLICATION BRANCH

FILING DATE: July 20, 2004

FOR: DETECTION OF MOLECULAR PROBES FIXED TO AN ACTIVE ZONE OF A SENSOR

**FILING OF DECLARATION UNDER 37 CFR 1.53(f)**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the notification dated January 24, 2005, and in accordance with the provisions of 37 CFR 1.53(f), Applicants submit herewith a Rule 63 Declaration.

The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
Eckhard H. Kuesters

Registration No.: 28,870

Joseph Scaretta, Jr.  
Registration No. 26,803

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**P.C.**

ATTORNEYS AT LAW

ATTN: APPLICATION BRANCH

**THIS IS A RESPONSE TO A  
NOTICE TO FILE MISSING  
PARTS OF AN APPLICATION**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

Re: Inventor: Ulrich BOCKELMANN, et al.  
Serial No: 10/501,772  
Filed: July 20, 2004  
For: DETECTION OF MOLECULAR PROBES FIXED TO AN ACTIVE  
ZONE OF A SENSOR

SIR:

Attached hereto for filing are the following papers:


Notice to File Missing Parts  
Filing of Declaration/Declaration  
Preliminary Amendment  
Sequence Listing  
Computer Readable Form (CRF) of the Sequence Listing  
Petition for Extension of Time (1 month)

Our credit card payment form in the amount of \$120.00 is attached covering any required fees. In the event that any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Docket No. 255977US2PCT

  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

**Rec'd PCT/PTO 25 APR 2005**

 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/501,772	Ulrich Bockelmann	255977US2PCT

INTERNATIONAL APPLICATION NO.
PCT/FR02/04283

LA. FILING DATE	PRIORITY DATE
12/11/2002	01/21/2002

22850

 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
 1940 DUKE STREET  
 ALEXANDRIA, VA 22314

CONFIRMATION NO. 8420

371 FORMALITIES LETTER



\*OC000000014983713\*

Date Mailed: 01/24/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/20/2004
- English Translation of the IA filed on 07/20/2004
- Copy of the International Search Report filed on 07/20/2004
- Information Disclosure Statements filed on 07/20/2004
- Request for Immediate Examination filed on 07/20/2004
- U.S. Basic National Fees filed on 07/20/2004
- Priority Documents filed on 07/20/2004

 RECEIVED: 1/28/05  
 OBLON, SPIVAK, McCLELLAND  
 MAIER & NEUSTADT, P.C.  
**DOCKETING DEPT.**

 Initials/Date Docketed: PP 1/28/05  
 Type of Resp(s): Decl 1 Seq list  
 Due Date(s): 3-24-05

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c) and PCT Rule 5.2(a).
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e) and PCT Rule 13ter.1(a)(ii).
  - APPLICANT MUST PROVIDE:
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an

amendment directing its entry into the specification.

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/501,772	PCT/FR02/04283	255977US2PCT

FORM PCT/DO/EO/905 (371 Formalities Notice)